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Petition139TCH-06 PB City Plan Board. Amend the City of Gainesville Land Development Code to add regulations pertaining to electronic signs (including digital and LED signs), and to amend the definition of "animated signs."

Dom Nozzi, Sr. Planner gave the Staff presentation and stated that the options before the Board tonight are to take no action; use the Special Use Permit Options of Administrative/Staff Approval or Plan Board Approval; or prohibit electronic signs. Mr. Nozzi further stated that Staff recommends establishing a set of conditions through administrative or staff approval.

Citizen John Hudson presented to the Board a protective face plate that diffuses the light of LED signs while still allowing signs to be read and seen.

Citizens came forward against LED signage and cited reasons for their disapproval as:

- ✦ Diminishing the appearance of the community
- ✦ Safety hazard from the glare of the lights
- ✦ Promotes competition between businesses
- ✦ Messages are promoting cigarettes and alcohol
- ✦ Tax payer dollars will be used to monitor these types of signs
- ✦ Intrusive when residential areas are in close proximity
- ✦ Gainesville to remain the "City of Trees" not "Route 66"

Business owners came forward in favor of this petition and cited reasons for their approval as:

- ✦ Businesses rely on walk-ins and drive-by traffic
- ✦ Cost effective approach for advertising
- ✦ Technology that is evolving
- ✦ No study has ever been published that LED's signs are a safety issue
- ✦ It is an integrated part of a non-profit marketing ability

Mr. Gold stated he does not like LED signs and is in favor of banning them except for the time and temperature signage. Mr. Gold further stated that if the Board bans electronic signs now it does not mean that they are banned forever, however if the Board were to allow electronic signs they would be opening the door to visual blight. Mr. Gold added he is interested in what Mr. Hudson suggested regarding the face plate but was too late into the proceedings to try to incorporate it into the regulations.

Mr. Cohen stated he is sympathetic to businesses that need to advertise and finds that Staff's proposal eliminates non-conforming signs and would restrict the size of signs controlling visual blight. Mr. Cohen further stated that a Special Use Permit is not appropriate procedurally and would support Staff's recommendation as long as specific reference was included to deal with the light pollution issue.

Jon Reiskind stated he is concerned about having a level playing field for businesses and if the signs are prohibited within the city of Gainesville there are aesthetic factors that become very important. Mr. Reiskind further stated he was disappointed to see a sign that displays time and temperature, have a portion of the sign missing for over a week; and inquired what kind of quality control exists.

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Laura High stated she is a small business owner and would not erect an electronic sign as it may offend her customers, and feels that her quality and care she gives her customers is what brings them back. Ms. High further stated that she loves Gainesville for the trees and would not like to see the beauty destroyed by becoming an eye sore with electronic signs.

Chair Polshek stated that putting limits on where technology enters our lives is an important consideration, as the signs that different business have are adequately visible both as a pedestrian and a motorist. Chair Polshek further stated that he agrees with Mr. Gold's statement that if the Board prohibits electronic signs today, and five years from now, if the Code needs to be changed, it can be done.

Jack Walls stated he helped write the sign ordinance in Aspen, Colorado; and believes that if this petition is approved, each business owner will be competing with each other for attention and proposed a motion.

Motion By: Jack Walls	Seconded By: David Gold
Moved To: Deny; with the Board's statement that electronic, digital light emitting-diode (LED) signs shall be prohibited to be erected or caused to be erected within the city of Gainesville. As for those signs that have already been erected, the City shall provide a system, whereby the sign owner can amortize the sign cost over a legitimate period of time, before removal.	Upon Vote: None taken.

The Board discussed the motion.

Motion By: Jack Walls	Seconded By: David Gold
Moved To: Amend motion to incorporate all definitions of Electronic Signs as defined in the staff report. Deny; with the Board's statement that electronic, digital light emitting-diode (LED) signs shall be prohibited to be erected or caused to be erected within the city of Gainesville. As for those signs that have already been erected, the City shall provide a system, whereby the sign owner can amortize the sign cost over a legitimate period of time, before removal, abiding by the revised definition of electronic signs enclosed in the Board's packets.	Upon Vote: None taken.

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Mr. Gold inquired from the Board if there was any support for the continued existence of the time and temperature devices. No Board member came forward for support.

Chair Polshek inquired from the Board how the amortization mechanism will work if the objective is to have the grandfathered-in signs removed. Mr. Walls stated that he has done research on this and a maximum of five years would be adequate in amortizing the cost of the electronic sign and at the end of the five year period, those signs will no longer be displayed.

Motion By: Jack Walls	Seconded By: David Gold
Moved To: Amend motion to incorporate all definitions of Electronic Signs as defined in the staff report to read as such: The animated signs definition be amended in 30-23 definitions, and in prohibited signs 30-316 (b) (8), and deletion of changing message device (from definitions 30-23, and from prohibited signs 30-316 (b) (9). Deny; with the Board's statement that electronic, digital light emitting-diode (LED) signs shall be prohibited to be erected or caused to be erected within the city of Gainesville. As for those signs that have already been erected, the City shall provide a system, whereby the sign owner can amortize the sign cost over a legitimate period of time, before removal, abiding by the revised definition of electronic signs enclosed in the Board's packets.	Upon Vote: 5 - 0.